



D. Lawrence
#5
5/28/03
Patent

Attorney's Docket No. 000348-252

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Yoshihiro IBARAKI et al) Group Art Unit: 1743
Application No.: 09/767,704) Examiner: Samuel P. Siefke
Filed: January 24, 2001) Confirmation No.: 3681
For: DETECTOR AGENT FOR HALOGEN)
COMPOUNDS AND METHOD FOR)
DETECTING HALOGEN)
COMPOUNDS)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAY 28 2003

GROUP 1700

Sir:

In response to the Examiner's Requirement for Restriction issued May 5, 2003, Applicants hereby elect, with traverse, the invention of Group II, claims 4, 5 and 7-10, drawn to methods for detecting halogen compounds.

M.P.E.P. §803 states that an application may be properly restricted to one or more claimed inventions only if (1) the inventions are independent or distinctly claimed, and (2) there is a serious burden on the Examiner if restriction is not required. Thus, even if appropriate reasons exist for requiring restriction, such a requirement should not be made unless there is an undue burden on the Examiner to examine all of the claims in a single application.

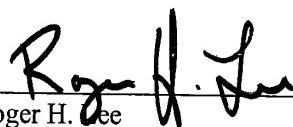
Application No. 09/767,704
Attorney's Docket No. 000348-252

In this regard, it appears that the examination involved for the two groups of inventions would have substantial overlap. Claims 1-3 and 6 (non-elected Group I) are directed to detector agents for halogen compounds, and the elected claims 4, 5 and 7-10 are directed to methods for detecting halogen compounds. As such, search and examination for the inventions of Groups I and II would seem to overlap. Because of the apparent overlap in search, it appears that a serious burden would not be imposed on the Examiner to examine the invention of Group II, in addition to Group I, in a single application. Accordingly, withdrawal of the restriction requirement and examination of the application are respectfully requested.

If the Examiner has any questions or comments regarding the above, he is invited to contact the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Roger H. Lee
Registration No. 46,317

P.O. Box 1404
Alexandria, VA 22313-1404
(703) 836-6620

Date: May 27, 2003